

STATE OF ALABAMA
ST. CLAIR COUNTY

The City Council of the City of Pell City met in a regularly scheduled Council Work Session at City Hall at 5:30 p.m. on Monday, October 14, 2024. Present were Council President Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Those present constituting an entirety of the Council, Council President Alverson opened the meeting for discussion.

The invocation was led by Reverend Donald Gover.

The pledge to the American Flag was led by Councilmember Ivi McDaniel.

The City Clerk had roll call for attendance.

There were no comments regarding the bills on file.

There were no comments regarding the minutes from the City Council Meeting held on September 19, 2024.

Mayor Pruitt presented a proclamation to Municipal Court Judge Brandi Williams Hufford and New Hope Baptist Church.

City Clerk Sheree Pruitt addressed the Council regarding the public hearing set for 6:00 p.m. to consider declaring the Fox Hollow Detention Pond a Nuisance and Ordering it abated. Mrs. Pruitt advised the pond remained non-compliant with City Ordinance and advised the outlet structure remained blocked.

City Clerk Sheree Pruitt addressed the Council regarding the public hearing set for 6:00 p.m. to consider declaring the following properties a nuisance and ordering the abatement. Mrs. Pruitt confirmed the properties were not compliant with City Ordinance.

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| • 412 30 th Street North | Parcel No.: 23-07-36-4-005-048.000 |
| • 4105 Cogswell Avenue | Parcel No.: 22-09-31-4-000-016.001 |
| • 3227 7 th Avenue North | Parcel No.: 22-09-31-3-001-010.000 |
| • 404 30 th Street North | Parcel No.: 23-07-36-4-005-052.000 |

City Clerk Sheree Pruitt addressed the Council regarding the following agreements with St. Clair County for Fiscal Year 2024/2025. She advised Council of the increase for “per day” cost of housing inmates and the dispatch agreement. City Manager Brian Muenger advised the agreements were discussed during budget, but the City had just received the agreements for approval and signature.

- St. Clair County Dispatch
- Adult Inmate Housing
- Drug Enforcement Unit
- St. Clair County Commission EMA

City Manager Brian Muenger addressed the Council regarding the appointment of James E. Hill, III as Pell City Municipal Court Judge. Mr. Muenger advised Mr. Hill would replace Judge Hufford, who had tendered her resignation to assume the position of Judge Furr. He confirmed the position was not subject to advertisement but was an appointment of the Council.

Chief of Police Clay Morris addressed the Council regarding an agreement with DroneSense. He advised the City was responsible for maintaining all flight records for operations and trainings as required by the Federal Government. Chief Morris confirmed the drones were utilized daily and stated the program would allow integration with Fusus.

City Clerk Sheree Pruitt addressed the Council regarding the Organized Crime Drug Enforcement Task Forces for Fiscal Year 2025. She advised the agreement was similar to

agreements authorized in previous years and named two additional officers to the unit. Chief Morris clarified the agreement was not the same as the DEA agreement and confirmed the agreement was case specific.

City Clerk Sheree Pruitt addressed the Council regarding an ABC License for JAAS, Inc., formerly known as Eden Shell. She advised the business had changed ownership and confirmed a new ABC License was required. Mrs. Pruitt confirmed Detective Sergeant Gray had conducted a background investigation and confirmed a clear background.

City Manager Brian Muenger addressed the Council regarding the bid for the Well A Project. Mr. Muenger confirmed the City had solicited and received seven sealed bids for the project. He stated the lowest responsive bidder was R&R contractors in the amount of \$614,000. He advised the request was only to award the bid contingent on ADEM approval which was referenced in the resolution.

Utility Superintendent James Hadaway addressed the Council regarding the authorization of an emergency repair and expenditure of funds regarding the Water Main and waterline along US Highway 78 and Truss Ferry Road. Mr. Hadaway confirmed the City had suffered several breaks at the specified location and stated the last break caused two isolation valves to break in the off position. Mr. Hadaway advised he had received three quotes and was expecting one more for the installation. He requested the Council authorization the emergency repair and expenditure of funds for an amount not to exceed \$49,500 for labor and \$68,190 for material.

City Manager Comments: None.

Mayor Comments: Thanked Judge Hufford for her service to the City of Pell City.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council adjourned, subject to the call of Council President Alverson.

The City Council of the City of Pell City met in a regularly scheduled Council Meeting held at City Hall at 6:00 p.m. on Monday October 14, 2024. Present were Council President Alverson, Councilmembers Jay Jenkins, Ivi McDaniel, Blaine Henderson, and Jason Mitcham. Those present constituting the entirety of the Council, the following business was transacted:

The City Clerk had roll call for attendance.

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved the agenda as presented.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved the payment of bills on file.

City Attorney John Rea advised that after further review of the Council Agenda it appeared that an item was missing from the agenda. Councilmember Mitcham, subsequently moved to rescind his Motion to Approve the Agenda as presented and Councilmember Jenkins seconded.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved adding **RESOLUTION 2024 – 6158** establishing a steering committee to the agenda. On roll call vote those voting ayes being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved the agenda as amended.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved the minutes from the Council Meeting held on September 19, 2024.

Now was the time set aside for a Public Hearing to consider declaring the Fox Hollow Detention Pond a Nuisance and Ordering it Abated. Council President Alverson opened the Public Hearing

at 6:09 p.m., there being no one present regarding the matter, he closed the Public Hearing at 6:10 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 - 6084** declaring the Fox Hollow Detention Pond a Nuisance and Ordered it Abated

Now was the time set aside for a Public Hearing to Consider Declaring the Following Properties a Nuisance and Ordering Abatement:

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| • 412 30 th Street North | Parcel No.: 23-07-36-4-005-048.000 |
| • 4105 Cogswell Avenue | Parcel No.: 22-09-31-4-000-016.001 |
| • 3227 7 th Avenue North | Parcel No.: 22-09-31-3-001-010.000 |
| • 404 30 th Street North | Parcel No.: 23-07-36-4-005-052.000 |

Council President Alverson opened the Public Hearing at 6:11 pm, there being no one present to discuss the properties, he closed the Public Hearing at 6:12 p.m.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 - 6145** declaring 412 30th Street North a Nuisance and Ordering the Abatement.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6146** declaring 4105 Cogswell Avenue a Nuisance and Ordering the Abatement.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6147** declaring 3227 7th Avenue North a Nuisance and Ordering the Abatement.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6148** declaring 404 30th Street North a Nuisance and Ordering the Abatement.

On motion of Councilmember Jenkins, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6149** authorizing an agreement with St. Clair County for Emergency Dispatch Services.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 - 6150** authorizing an agreement with St. Clair County for Adult Inmate Housing.

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6151** authorizing an agreement with St. Clair County for the Drug Enforcement Unit.

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 - 6152** authorizing an agreement with St. Clair County for EMA Services.

On motion of Councilmember Jenkins, seconded by Councilmember Mitcham, the Council unanimously approved **RESOLUTION NO. 2024 - 6153** authorizing the appointment of James E. Hill, III as the Pell City Municipal Court Judge. City Manager Brian Muenger advised the rate of pay would be \$1,000 per session.

On motion of Councilmember Henderson, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6154** authorizing an agreement with DroneSense

On motion of Councilmember Mitcham, seconded by Councilmember Jenkins, the Council unanimously approved **RESOLUTION NO. 2024 - 6155** authorizing an agreement with the Organized Crime Drug Enforcement Task Forces for Fiscal Year 2025

On motion of Councilmember Henderson, seconded by Councilmember Mitcham, the Council unanimously approved authorizing an ABC License for JAAS, Inc. formerly known as Eden Shell

On motion of Councilmember Jenkins, seconded by Councilmember Henderson, the Council unanimously approved **RESOLUTION NO. 2024 - 6156** awarding the Bid for the Well A Project to R&R Contractors contingent upon approval of ADEM

On motion of Councilmember Mitcham, seconded by Councilmember McDaniel, the Council unanimously approved **RESOLUTION NO. 2024 - 6157** authorizing an Emergency Repair and Expenditure of Funds regarding the Water Main and Waterline along US Highway 78 and Truss Ferry Road

Council President Alverson introduced the following Ordinance establishing a steering Committee contingent on approval of Amendment 1:

ORDINANCE NO. 2024 – 6158

AN ORDINANCE ESTABLISHING THE PELL CITY BOARD OF EDUCATION STEERING COMMITTEE

WHEREAS, on October 26, 1981, by Resolution No. 81-573, the City Council of the City of Pell City (the “City Council”) created the Pell City School System and established the Pell City Board of Education; and,

WHEREAS, the City Council created the Pell City School System to provide exceptional educational opportunities and outcomes to the residents of Pell City that are better than those provided by the St. Clair County School System; and,

WHEREAS, when the Pell City School System was formed, the vast majority of the students educated by the Pell City School System lived within the city limits of the City of Pell City; and,

WHEREAS, from its creation until 1992, the members of the Pell City Board of Education were appointed by the City Council in accordance with general Alabama law; and,

WHEREAS, in 1992, through a local constitutional amendment and a local act of the Alabama Legislature, the Pell City Board of Education changed to an elected board of education with its members being elected by the qualified electors of the City of Pell City in geographic districts that are identical to the five City Council districts; and,

WHEREAS, since the creation of the Pell City School System, parents residing outside of the city limits of the City of Pell City have been allowed to send their children to the Pell City School System but they have been unable to serve on the Pell City Board of Education; and,

WHEREAS, the Pell City Board of Education has worked for many years to find a legal solution that allows those individuals that reside outside the city limits of the City of Pell City and within the unincorporated portion of the Pell City School Attendance Zone and Tax District (the “County portion”) to participate in the governance of the Pell City School System where their students attend school; and,

WHEREAS, the Pell City Board of Education has retained experts to advise the Pell City Board of Education on the feasibility of expanding its current voting districts to include the County portion of the Pell City School Attendance Zone and Tax District; and,

WHEREAS, after significant study and evaluation, the Pell City Board of Education determined that it was not feasible to expand its current voting districts to include the County portion of the Pell City School Attendance Zone and Tax District; and,

WHEREAS, the Pell City Board of Education analyzed and considered every option available to provide those individuals that reside in the County portion of the Pell City School Attendance Zone and Tax District the opportunity to participate in the governance of the Pell City School System; and,

WHEREAS, the Pell City Board of Education determined that it was in the best interests of all citizens residing in the Pell City School Attendance Zone and Tax District to return the Pell City Board of Education to an appointed board, as it existed when the Pell City School System was formed, and to legally establish that the appointed members of the Pell City Board of Education shall be qualified individuals who reside within the entire Pell City School Attendance Zone and Tax District, with at least two of those members being appointed from the County portion of the Pell City School Attendance Zone and Tax District; and,

WHEREAS, the Pell City Board of Education unanimously supported and reviewed draft legislation to be considered in the 2024 Alabama Legislative Session that proposed a Local Constitutional Amendment to address the governance issues between the Pell City School System and the St. Clair County School System and to modify existing Alabama law to allow individuals who reside in the County portion of the Pell City School Attendance Zone and Tax District to serve on the Pell City Board of Education; and,

WHEREAS, the Pell City Board of Education voted unanimously to support Act 2024-111, which authorizes a local constitutional amendment to remedy the governance issues that have affected the Pell City Board of Education and the St. Clair County Board of Education since the formation of the Pell City School System.

WHEREAS, the City Council of the City of Pell City supports the unanimous decision of the Pell City Board of Education and also voted unanimously to support Act 2024-111; and,

WHEREAS, the City Council of the City of Pell City has determined that it is wise, prudent, and in the best interests of the citizens of the Pell City School Attendance Zone and Tax District to create the Pell City Board of Education Steering Committee and to establish the procedures by which future members of the Pell City Board of Education shall be appointed by the City Council if the voters approve the local constitutional amendment proposed by Act 2024-111.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, AS FOLLOWS:

Section 1. The City Council of the City of Pell City hereby creates the Pell City Board of Education Steering Committee.

Section 2. The Pell City Board of Education Steering Committee shall consist of seven (7) members who reside within Pell City School Attendance Zone and Tax District.

Section 3. The members for the Pell City Board of Education Steering Committee shall be individual adults in good standing in the community who demonstrate the desire and commitment of ensuring that the Pell City School System delivers exceptional educational opportunities and outcomes to its students. The members for the Pell City Board of Education Steering Committee shall be appointed by the City Council and shall serve for a term of two (2) years. Members shall be eligible for reappointment by the City Council.

Section 4. The Pell City Board of Education Steering Committee shall review, evaluate, and recommend qualified members of the public to serve on the Pell City Board of Education. In addition to the legal qualifications established by Alabama law, all candidates for the Pell City Board of Education recommended by the Pell City Board of Education Steering Committee shall demonstrate the desire and commitment of ensuring that the Pell City School System delivers exceptional educational opportunities and outcomes to its students.

Section 5. The members of the Pell City Board of Education shall be appointed by the City Council in accordance with general Alabama law.

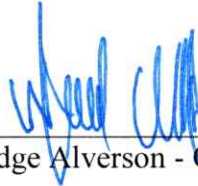
Section 6. This Ordinance shall become effective upon the ratification of the amendment to the Constitutional of Alabama of 2022 proposed by Act 2024-111.

Councilmember Jenkins moved that all rules and regulations, which unless suspended would prevent the immediate consideration and adoption of said Ordinance, be suspended and that unanimous consent to the immediate consideration and adoption of said Ordinance be given. The motion was seconded by Councilmember Henderson. On roll call vote those voting ayes

being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

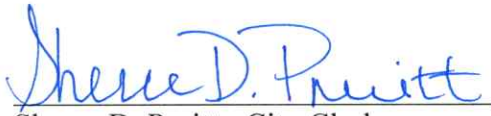
On motion of Councilmember Henderson, seconded by Councilmember Jenkins, the Council unanimously adopted said ordinance creating a steering committee contingent on the approval of Amendment 1. On roll call vote those voting ayes being: Councilmember Jenkins, McDaniel, Henderson, Mitcham, and Council President Alverson. Nays: None. Council President Alverson declared the motion approved.

On motion of Councilmember Mitcham, seconded by Councilmember Henderson, the Council adjourned, subject to the call of Council President Alverson.



W. Judge Alverson - Council President

ATTEST:



Sheree D. Pruitt - City Clerk